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UTILITY PATENT APPLICATION TRANSMITTAL <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i>		Attorney Docket No. 88265-14012	Total Pages 32
		First Named Inventor or Application Identifier Eileen ROEHR et al.	
		Express Mail Label No. _____	

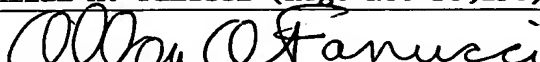
APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents.	ADDRESS TO: MAIL STOP PATENT APPLICATION Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450
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1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g. PTO/SB/17) <i>(Submit an original and a duplicate for fee processing)</i> 2. <input type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27. 3. <input checked="" type="checkbox"/> Specification Total Pages <u>25</u> <i>(preferred arrangement set forth below)</i> -Descriptive title of the Invention -Cross Reference to Related Applications -Statement Regarding Fed Sponsored R&D -Reference to Sequence Listing, a table, or a computer program listing appendix -Background of the Invention -Brief Summary of the Invention -Brief Description of the Drawings (if filed) -Detailed Description -Claim(s) -Abstract of the Disclosure 4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) Total Sheets <u>4</u> 5. Oath or Declaration Total Pages <u>3</u> a. <input type="checkbox"/> Newly executed (original or copy) b. <input checked="" type="checkbox"/> Copy from prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 18 completed)</i> i. <input type="checkbox"/> <u>DELETION OF INVENTOR(S)</u> Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b). 6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76	7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program <i>(Appendix)</i> 8. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable, all necessary)</i> a. <input type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: i. <input type="checkbox"/> CD ROM or CD-R (2 copies); or ii. <input type="checkbox"/> Paper c. <input type="checkbox"/> Statements verifying identity of above copies.
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ACCOMPANYING APPLICATION PARTS
9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s)) 10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input checked="" type="checkbox"/> Power of Attorney <i>(when there is an assignee)</i> <i>(copy from 09/872,099)</i> 11. <input type="checkbox"/> English Translation Document <i>(if applicable)</i> 12. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations 13. <input type="checkbox"/> Preliminary Amendment 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i> 15. <input type="checkbox"/> Certified copy of Priority Document(s) <i>(if foreign priority is claimed)</i> 16. <input type="checkbox"/> Non-publication Request Under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent 17. <input type="checkbox"/> Other

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76: <input type="checkbox"/> Continuation <input checked="" type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application no. <u>09/872,099</u> filed <u>June 1, 2001</u> Prior Application Information: Examiner: <u>Joseph Pelham</u> Group Art Unit: <u>1761</u>	
The entire disclosure of the prior application(s) noted above, is/are considered a part of the disclosure of the accompanying application and is/are hereby incorporated by reference.	

19. CORRESPONDENCE ADDRESS	
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Signature		Date	9-17-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Prior Application:

Examiner: Joseph Pelham
 Art Unit: 1761

Mail Stop Patent Application

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

This is a request for filing a ☐ continuation ☒ divisional application under 37 CFR § 1.53(b), of pending prior application no. 09/872,099 filed on June 1, 2001 of Eileen ROEHR, Mark O. FOSTER, Hua ZHANG, Antonio GUTIERREZ, Mark A. GAJ and Giinping I. SCHMIDT for BAKED COOKIES HAVING DUAL TEXTURE.

1. ☒ The filing fee is calculated below:

PATENT APPLICATION FEE VALUE

TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE	
Total Claims	9	-20	0	\$18.00 each	\$	0.00
Independent	1	-3	0	\$84.00 each	\$	0.00
Basic Fee					\$	750.00
Multiple Dependency Fee If Applicable (\$280.00)					\$	0.00
Total					\$	0.00
50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern					\$	0.00
Total Filing Fee					\$	750.00

2. ☒ Please charge the required fee to Winston & Strawn LLP Deposit Account No. 50-1814. A copy of this sheet is enclosed.
3. ☒ New formal drawings are enclosed.
4. ☒ The prior application is assigned of record to NESTEC S.A., a Swiss company having a place of business at Avenue Nestlé 55, 1800 Vevey, Switzerland, by virtue of an assignment recorded on August 30, 2001, at Reel 012143, Frame 0643.
5. ☒ The Power of Attorney appears in the original papers in the prior application no. 09/872,099, filed June 1, 2001, and a copy is enclosed herewith.

6. ☒ Information Disclosure Statement with Form PTO-1449.

Respectfully submitted,

9-17-03
Date

Allan A. Fanucci
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WINSTON & STRAWN LLP
Customer No. 28765

212-294-3311